

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the Application of ) Examiner: M. Woodward  
ROGER P. EKINS )  
Serial No. 07/984,264 ) Group Art Unit: 1813  
Filed: December 1, 1992 ) Response to Paper No. 12  
For: DETERMINATION OF )  
AMBIENT CONCENTRATION )  
OF SEVERAL ANALYTES )

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**AMENDMENT AND REQUEST FOR  
RECONSIDERATION UNDER 37 C.F.R. §1.111**

In response to the August 23, 1993 Official Action,  
please amend the above-identified application as follows:

Amend the claims as set forth in the attached  
Schedule A.

**REMARKS**

The August 23, 1993 Official Action and the  
references cited therein have been carefully reviewed. In  
view of the claim amendments presented herewith and the  
following remarks, favorable reconsideration and allowance of  
this application are respectfully requested.

In the August 23, 1993 Official Action, the  
specification has been objected to, and claims 12-28 have been  
rejected under 35 U.S.C. §112, first paragraph, for allegedly  
failing to provide an enabling disclosure. In this  
connection, the Examiner has questioned the sufficiency of the  
disclosure regarding the calculation of 0.1 V/K. The Examiner  
also criticizes the specification for allegedly not setting  
forth "the conditions under which a value of greater than  $10^4$   
molecules is needed in order for the assay to function".

Claims 12-28 also stand rejected under 35 U.S.C.  
§103 as allegedly unpatentable based on the combined  
disclosures of WO 84/01031 (Ekins '031) and U.S. 4,591,570  
(Chang). The Examiner interprets Chang as disclosing  
absorption conditions quite similar to those of applicant, and  
from this premise concludes that it would have been obvious to